

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

Jeffrey William Crouchman,

Plaintiff

v.

Pickens County Council, Sheriff Rick Clark,  
Captain Nix, Lt. Kristi Leopard, Sgt. Visage,  
Sgt. Tomberlin, Deputy Evans, Officer  
Nowaczcki, Officer Hardy, Officer Talley and  
Officer Morales,

Defendants.

C/A. No. 9:16-804-CMC-BM

Opinion and Order

This matter is before the court on Plaintiff's *pro se* complaint, filed in this court pursuant to 42 U.S.C. § 1983, alleging a plethora of constitutional violations he suffered at Pickens County Detention Center while he was a pretrial detainee. ECF No. 1. On November 10, 2016, Defendants filed a motion for summary judgment. ECF No. 39. A *Roseboro* Order was mailed to Plaintiff on November 5, 2016, advising him of the importance of a dispositive motion and the need to file an adequate response. ECF No. 41. Plaintiff filed a response in opposition to the summary judgment motion on January 9, 2017. ECF No. 49. Defendants filed a reply on January 17, 2017. ECF No. 56.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), DSC, this matter was referred to United States Magistrate Judge Bristow Marchant for pre-trial proceedings and a Report and Recommendation ("Report"). On February 3, 2017, the Magistrate Judge issued a Report recommending that Defendants' summary judgment motion be granted and Plaintiff's motion for preliminary injunction be denied. ECF No. 61. The Magistrate Judge

advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff has filed no objections and the time for doing so has expired, and Plaintiff's copy of the Report has not been returned to the court.<sup>1</sup>

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *See Matthews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.") (citation omitted).

After reviewing the complaint, the motion and responses, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference.

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<sup>1</sup> Plaintiff has now been released from custody. He submitted an address change to the court. The Report was sent to that new address and was not returned.

Defendants' motion for summary judgment is **granted**, and this matter is **dismissed with prejudice**.<sup>2</sup>

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
Senior United States District Judge

Columbia, South Carolina  
February 27, 2017

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<sup>2</sup> Plaintiff's motion for preliminary injunction is denied as moot.